

SECOND REGULAR SESSION

SENATE BILL NO. 1228

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GIBBONS.

Read 1st time February 5, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

4417S.01I

AN ACT

To repeal sections 589.410 and 589.425, RSMo, and to enact in lieu thereof two new sections relating to a sexual offender registry website.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 589.410 and 589.425, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 589.410 and 589.425, to read as follows:

589.410. 1. The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. The highway patrol shall establish by July 1, 2005, and thereafter maintain, a website containing the name, address, and the offense for which the individual was convicted, of each offender required to register pursuant to sections 489.400 to 489.425. The state shall not be civilly or criminally liable for the erroneous placement of an individual's name or address on the website unless there is clear and convincing evidence that the state's action in placing the individual's name or address on the website was wilful, wanton, or malicious.

589.425. 1. Any person who is required to register pursuant to sections 589.400 to 589.425 and does not meet all requirements of sections 589.400 to 589.425 is guilty of a class A misdemeanor, **unless the person has been convicted pursuant to chapter 566 of an unclassified felony, class A felony, class B felony, or any felony involving a child under the age of fourteen, in which case the person is guilty of a class D felony.**

2. Any person who commits a second or subsequent violation of subsection 1 of this section is guilty of a class D felony, **unless the person has been convicted pursuant to chapter 566 of an unclassified felony, class A felony, class B felony, or any felony involving a child under the age of fourteen, in which case the person is guilty of**

a class C felony.

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